

<b>AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT</b>				1. CONTRACT ID CODE		PAGE 1 OF 5 PAGES	
2. AMENDMENT/MODIFICATION NO. 0001		3. EFFECTIVE DATE 21 JUL 2000		4. REQUISITION/PURCHASE REQ. NO. W81EU613422686		5. PROJECT NO. (If applicable) NF - Bord Patrol	
6. ISSUED BY  Department of the Army US Army Engineer District, Buffalo 1776 Niagara Street Buffalo, New York 14207-3199		CODE		7. ADMINISTERED BY (If other than Item 6)		CODE	
8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and ZIP Code)				(✓)  X		9A. AMENDMENT OF SOLICITATION NO.  DACW49-00-B-0013	
						9B. DATED (SEE ITEM 11) 06/29/00	
						10A. MODIFICATION OF CONTRACTS/ORDER NO.	
						10B. DATED (SEE ITEM 13)	
CODE				FACILITY CODE			

**11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS**

☒ The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of Offers ☒ is extended, ☐ is not extended.

Offers must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended, by one of the following methods:

(a) By completing Items 8 and 15, and returning 1 copies of the amendment; (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) By separate letter or telegram which includes a reference to the solicitation and amendment numbers. FAILURE OF YOUR ACKNOWLEDGMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment you desire to change an offer already submitted, such change may be made by telegram or letter, provided each telegram or letter makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.

12. ACCOUNTING AND APPROPRIATION DATA (If required)

**13. THIS ITEM APPLIES ONLY TO MODIFICATIONS OF CONTRACTS/ORDERS, IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.**

(✓)	A. THIS CHANGE ORDER IS ISSUED PURSUANT TO: (Specify authority) THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER NO. IN ITEM 10A.
	B. THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT THE ADMINISTRATIVE CHANGES (such as changes in paying office, appropriation date, etc.) SET FORTH IN ITEM 14, PURSUANT TO THE AUTHORITY OF FAR 43.103(b).
	C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:
	D. OTHER (Specify type of modification and authority)

**E. IMPORTANT:** Contractor ☐ is not, ☐ is required to sign this document and return \_\_\_\_\_ copies to the issuing office.

14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.)

BID OPENING DATE is hereby changed to: 4 AUG 00 AT 2:00 PM

Standard Form 1442 "Solicitation, Offer and Award", Page 00010-1, Para beginning "Work consists of, but is not....", 4th line down, CHANGE to read "275 SF of new area. Construction will be residential type, slab-on-grade, wood or metal frame, brick veneer exterior walls. Bldg will be heated and air conditioned. The renovation site is located at 1708 Lafayette Ave., Niagara Falls, Niagara County, NY. SIC Code 1629."

Page 00010-2

Block 14 - ADD on last line "CAGE:\_\_\_\_\_ DUNS:\_\_\_\_\_"

Block 24, Delete 0800 and INSERT 0100.

Except as provided herein, all terms and conditions of the document referenced in Item 9A or 10A, as heretofore changed, remains unchanged and in full force and effect.

15A. NAME AND TITLE OF SIGNER (Type or print)		16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print)	
15B. CONTRACTOR/OFFEROR		16B. UNITED STATES OF AMERICA	
_____ (Signature of person authorized to sign)		BY _____ (Signature of Contracting Officer)	
15C. DATE SIGNED		16C. DATE SIGNED	

Section 00100

Page 2 of 16 - Delete Clause No. 24 in its entirety - it is a duplicate of Clause No. 21.

Clause No. 31 - Title - remove space between "IN" and "SURANCE"

ADD the following as:

"43. SUBMISSION OF ELECTRONIC FUNDS TRANSFER INFORMATION WITH OFFER (MAY 1999)

44. SUBMISSION OF ELECTRONIC FUNDS TRANSFER INFORMATION WITH OFFER (MAY 1999)

Page 12 of 16 - Clause 24 - DELETE in its entirety.

Clause 25 - CHANGE Wage Decision Number in Para (a) to NY000020.

Page 15 of 16 - Clause 39 - 9th line - CHANGE to read "General Decision Number NY000020"

Page 16 of 16 - ADD the following:

"43. SUBMISSION OF ELECTRONIC FUNDS TRANSFER INFORMATION WITH OFFER (MAY 1999)

The offeror shall provide, with its offer, the following information that is required to make payment by electronic funds transfer (EFT) under any contract that results from this solicitation. This submission satisfies the requirement to provide EFT information under paragraphs (b)(1) and (j) of the clause at 52.232-34, Payment by Electronic Funds Transfer--Other than Central Contractor Registration.

(1) The solicitation number (or other procurement identification number).

(2) The offeror's name and remittance address, as stated in the offer.

(3) The signature (manual or electronic, as appropriate), title, and telephone number of the offeror's official authorized to provide this information.

(4) The name, address, and 9-digit Routing Transit Number of the offeror's financial agent.

(5) The offeror's account number and the type of account (checking, savings, or lockbox).

(6) If applicable, the Fedwire Transfer System telegraphic abbreviation of the offeror's financial agent.

(7) If applicable, the offeror shall also provide the name, address, telegraphic abbreviation, and 9-digit Routing Transit Number of the correspondent financial institution receiving the wire transfer payment if the offeror's financial agent is not directly on-line to the Fedwire and, therefore, not the receiver of the wire transfer payment.

(End of provision)

44. SUBMISSION OF ELECTRONIC FUNDS TRANSFER INFORMATION WITH OFFER (MAY 1999)

The offeror shall provide, with its offer, the following information that is required to make payment by electronic funds transfer (EFT) under any contract

that results from this solicitation. This submission satisfies the requirement to provide EFT information under paragraphs (b)(1) and (j) of the clause at 52.232-34, Payment by Electronic Funds Transfer--Other than Central Contractor Registration.

- (1) The solicitation number (or other procurement identification number).
- (2) The offeror's name and remittance address, as stated in the offer.
- (3) The signature (manual or electronic, as appropriate), title, and telephone number of the offeror's official authorized to provide this information.
- (4) The name, address, and 9-digit Routing Transit Number of the offeror's financial agent.
- (5) The offeror's account number and the type of account (checking, savings, or lockbox).
- (6) If applicable, the Fedwire Transfer System telegraphic abbreviation of the offeror's financial agent.
- (7) If applicable, the offeror shall also provide the name, address, telegraphic abbreviation, and 9-digit Routing Transit Number of the correspondent financial institution receiving the wire transfer payment if the offeror's financial agent is not directly on-line to the Fedwire and, therefore, not the receiver of the wire transfer payment.

(End of provision)

Section 0600:

TOC: Clause No. 6 - CHANGE to read: ". . . . REPRESENTATIONS"  
Clause No. 9 - DELETE in its entirety - located in Section 00700.

Page 8 - Clause No. 9 - DELETE in its entirety.

Section 00700:

Pages 34 & 35 - Clause 23: **ADD** in proper numerical sequence the following clauses:

- 52.214-26 Audit and Records -- Sealed Bidding
- 52.214-27 Price Reduction for Defective Cost or Pricing Data --Modifications -- Sealed Bidding
- 52.214-28 Subcontractor Cost or Pricing Data --Modifications -- Sealed Bidding
- 52.219-16 Liquidated Damages - Subcontracting Plan
- 52.227-1 Authorization and Consent
- 52.233-3 Protest After Award

**DELETE** 52.227-2 Notice and Assistance Regarding Patent and Copyright Infringement

Section 00800:

TOC:  
DELETE Clause 16 - "TEMPORARY FIELD OFFICE"  
Add as clause 20 - "DAMAGE TO WORK"

Page 2 - Clause 1 - Second last line - CHANGE to read "days after the date the Contractor receives the written Notice to Proceed. The time stated . . . . ."

Page 2 - Clause 3 - DELETE in its entirety and substituted the following:

3. LIMITATIONS ON SUBCONTRACTING (DEC 1996)

(a) This clause does not apply to the unrestricted portion of a partial set-aside.

(b) By submission of an offer and execution of a contract, the Offeror/Contractor agrees that in performance of the contract in the case of a contract for--

(1) Services (except construction). At least 50 percent of the cost of contract performance incurred for personnel shall be expended for employees of the concern.

(2) Supplies (other than procurement from a nonmanufacturer of such supplies). The concern shall perform work for at least 50 percent of the cost of manufacturing the supplies, not including the cost of materials.

(3) General construction. The concern will perform at least 15 percent of the cost of the contract, not including the cost of materials, with its own employees.

(4) Construction by special trade contractors. The concern will perform at least 25 percent of the cost of the contract, not including the cost of materials, with its own employees.

Page 6 - subparagraph 8 (a), second line, CHANGE to read: " . . . .in Section 00100. The form has been . . . ."

Page 7 - subparagraph 9.(d) - DELETE in its entirety.

Page 8 - subparagraph 15(c) - DELETE in its entirety.

Paragraph 16 - TEMPORARY FIELD OFFICE - DELETE in its entirety.

Page 10 - ADD the following as Paragraph 20:

20. DAMAGE TO WORK (1966 MAR OCE)

The responsibility for damage to any part of the permanent work shall be as set forth in the clause of the contract entitled "Permits and Responsibilities". However, if, in the judgment of the Contracting Officer, any part of the permanent work performed by the Contractor is damaged by flood or earthquake, which damage is not due to the failure of the Contractor to take reasonable precautions or to exercise sound engineering and construction practices in the conduct of the work, the Contractor will make the repairs as ordered by the Contracting Officer and full compensation for such repairs will be made at the applicable contract unit or lump sum prices as fixed and established in the contract. If, in the opinion of the Contracting Officer, there are no contract unit or lump sum prices applicable to any part of such work an equitable adjustment pursuant to the Contract Clause entitled "Changes" of the contract, will be made as full compensation for the repairs of that part of the permanent work for which there are no applicable contract unit or lump sum prices. Except as herein provided damage to all work (including temporary construction), utilities, materials,

equipment and plant shall be repaired to the satisfaction of the Contracting Officer at the Contractor's expense, regardless of the cause of such damage.  
(End of Clause)  
(EFARS 52.2/9109(c)(d)(1))

Attachments: "Project Construction Sign" is herewith attached.  
Minutes from the Pre-Bid Conference are attached.

Drawings:

This amendment modifies the following drawings in the original solicitation notice: sheet 9-A2 Floor Plan; sheet 12-A5 East Elevation; and sheet 13-A6 North Elevation and West Elevation. The primary modification to the above mentioned drawings is the substitution of Painted CMU for brick veneer and vinyl siding on a portion of the new addition.

Drawing ASK-1 Partial Floor Plan corresponds to original drawing A2; drawing ASK-2 Partial North Elevation corresponds to original drawing A6 North Elevation; drawing ASK-3 Partial West Elevation corresponds to original drawing A6 West Elevation; and drawing ASK-4 Partial East Elevation corresponds to original drawing A5 East Elevation.



MINUTES OF PRE-BID CONFERENCE  
DATED 7/14/00

ATTENDEES:

Amy Clifford	CIR Electrical	874-5614
Edward Mietlicki	Rand & Jones	310-5475
Matt Mariacher	Building Solutions	655-3210
Todd Huber	Building Solutions	655-3210
Bill Schreader	Ferguson Electric	285-2516
Jim Dean	Corps of Engineers, Estimator	879-4275
Mike Greer	Corps of Engineers, Project Manager	879-4407
Paul Polanski	Corps of Engineers, Estimator	879-4236
Moirra Restall	Corps of Engineers, Contracting Division	879-4251

Questions and Answers:

1.     QUESTION:   Does the project entail removing brick and re-adhering the cedar clapboard?  
  
          ANSWER:    Yes, there are areas where brick is to be removed. See demolition notes 25 and 29 on drawing A01, Drawing A6, and Drawing A5. There are no areas where cedar clapboard is to be removed and reapplied.
2.     QUESTION:   Who tests for lead based paint once the job starts?  
  
          ANSWER:    The contractor.
3.     QUESTION:   The drawings show existing wooden truss roof. Are they really trusses?  
  
          ANSWER:    Yes, the drawings are correct.
4.     QUESTION:   Is this going to be an existing facility during construction?  
  
          ANSWER:    The facility will be vacated during construction.
5.     QUESTION:   What is the construction schedule?  
  
          ANSWER:    Ninety (90) days. Actual begin and end dates are to be determined.
6.     QUESTION:   Does this contract call for an ATS and no generator?  
  
          ANSWER:    ATS yes, generator no.
7.     QUESTION:   Is the generator a part of this project?  
  
          ANSWER:    The generator is not part of this project.

8. QUESTION: The specifications indicate that the building will be gutted except for the ceiling. Is that correct?
- ANSWER: Materials are to be removed as indicated on drawing A01.
9. QUESTION: Is the lighting surface mounted?
- ANSWER: All light fixtures are surface mounted, see E1 - Fixture schedule.
10. QUESTION: Does the insulation get changed in the attic?
- ANSWER: No. Only the new addition and existing garage areas will get new R30 batt insulation.
11. QUESTION: Is MC cable allowed?
- ANSWER: No. EMT should be used.
12. QUESTION: Will the building be empty (desks, equipment) for liability purposes?
- ANSWER: During construction, yes.
13. QUESTION: Does the lightning system have to be approved?
- ANSWER: Yes, shop drawings should be submitted (Ref. Spec. section 16670 paragraph 1.3; Ref. Drawing E5 Note 1).
14. QUESTION: On Drawing A-1 at the end of the new addition, where is the detail for the roofline?
- ANSWER: See Detail 4 on S5.
15. QUESTION: Is the roof tongue and groove?
- ANSWER: The plywood sheathing should be tongue and groove.